

REMARKS

Applicants thank the Examiner for the thorough consideration given the present application.

Claims 1-13 and 15 are now present in this application. Claims 1, 12 and 13 are independent.

Claim 14 has been canceled and claim 15 has been added. Reconsideration of this application is respectfully requested.

Priority Under 35 U.S.C. § 119

The Examiner has not acknowledged Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document from the International Bureau. Acknowledgment thereof by the Examiner in the next Office Action is respectfully requested.

Information Disclosure Citation

Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statements filed September 17, 2004, December 8, 2006, January 16, 2007 and May 21, 2007, and for providing Applicants with initialed copies of the PTO-SB08 forms filed therewith.

Rejection Under 35 U.S.C. § 112, 2nd Paragraph

Claim 14 stands rejected under 35 U.S.C. § 112, 2nd Paragraph as being an omnibus claim. Accordingly, claim 14 has been canceled.

Rejections under 35 U.S.C. §103

Claims 1-4, 6-8 and 10-13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 2002/0091535 (Kendall) in view of US 2005/0261945 (Mougin) and US 7,058,897 (Matsuda). Further, claim 5 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kendall, Mougin and Matsuda and further in view of 6,629,081 (Cornelius) and claim 9 stands

rejected over Kendall, Mougin and Matsuda and further in view of 2003/0040946 (Sprenger). These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

The published application to Mougin is not available as prior art against Applicants' invention. The application is the national phase of a PCT application claiming benefit of an Australian application having a filing date of March 20, 2002. A certified copy of the Australian priority document, in English, has been transmitted to the US Patent Office by the International Bureau so that the application is entitled to March 20, 2002 as the effective filing date. Mougin published on November 24, 2005 and claims benefit of a PCT application filed October 15, 2001. However, the PCT application published as WO 02/33675 on April 25, 2002 in French so that the US application cannot rely upon the PCT application filing date as the date the published application can be used as prior art. See MPEP 1857.01. As noted above, the PCT application publication date is later than the application's effective filing date.

In addition, all the referenced publications are for fully connected systems, systems that communicate directly to a central server. Such systems would not continue to work when the client computer was disconnected from the network. The present invention enables any number of client computers to make accommodation bookings. These bookings are then synchronized to ensure that any other clients seeking to make bookings will have up to date information.

Kendall discloses a system to facilitate selection of location destinations and accommodation. Kendall is directed towards assisting customers to locate a suitable destination and/or accommodation, but does not look to assist the customer with making any such bookings. The Examiner refers to paragraph [0046] as disclosing a business center (kiosk) including a first processing means for making bookings and to paragraph [0044] as disclosing a central data center having a second processing means for making bookings. The kiosk in paragraph [0046] is one of several mediums, such as DVD and interactive television, for implementing the destination selection of Kendall and discloses no means of making bookings through the kiosk. Paragraph [0044] in Kendall refers to the ability to include a link to an online booking service even though it refers to online booking sites as providing minimal assistance. The online

booking service is referred to as known in the art which does not include two separate processing means which need to be synchronized. Kendall does not provide any real ability to book accommodation but instead relies upon other booking sites since Kendall is directed toward choosing a destination, not booking accommodations.

The Examiner relies upon Mougin for disclosing synchronization between two processing means. US2005/0261945 (Mougin) is not effective prior art against the application, as noted above. However, it is noted that the synchronization disclosed by Mougin is not the type of synchronization between two processing means that is claimed.

Matsuda is directed towards a virtual community. In particular, it appears to be directed towards communication within a virtual reality and has no bearing on the present invention.

None of the citations, alone or in combination teach or even suggest the present applicant's invention. Kendall is focused on the presentation of accommodation options and enables or facilitates the choice of accommodation to the consumer. It does not assist in the booking of accommodation and does not disclose two centers each having a processing means for making bookings as Kendall discloses a method for selection of a destination, not bookings. The synchronization disclosed by Mougin does not concern the ability of two different processing means to reflect the same data regarding accommodations that have been booked. Mougin does not have a synchronization mechanism allowing it to function while the client is disconnected. Rather it is focused on the presentation of available parking spaces directly to a consumer. Because Kendall does not disclose two centers, each having its own processing means to make bookings and Mougin does not disclose the synchronization between two processing means so that they reflect the same data regarding booked accommodations, it is respectfully requested that the rejection be withdrawn.

The present applicant's invention is focused on the booking of the hotel and the removal of availability online when rooms are booked offline. The claims recite at least two separate centers, at least one business center and a central data center, each having a processing means and the synchronization of the data between these centers so that the information in all centers is the same. The synchronization mechanism which is core to the present applicant's system allows the system to work when the hotel computer is disconnected and to correctly update in

both directions when the hotel computer is connected again. This would be particularly advantageous with sites that have unreliable internet connection.

Applicants respectfully submit that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Kendall, Mougin and Matsuda, for the reasons explained above. Accordingly, reconsideration and withdrawal of this rejection are respectfully requested. Corneilus and Spranger do not cure the deficiencies of these patents in failing to disclose two separate processing means that are synchronized to have the same data.

With regard to dependent claims 2-13 and 15, Applicants submit that these claims depend, either directly or indirectly, from independent claim 1 which is allowable for the reasons set forth above, and therefore are allowable. In addition, these claims recite further limitations which are not disclosed or made obvious by the applied prior art references. Reconsideration and allowance thereof are respectfully requested.

New Claims

Claim 15 has been added for the Examiner's consideration. Applicants submit that claim 15 depends from independent claim 1, and is therefore allowable based on its dependence from claim 1 which is believed to be allowable.

In addition, claim 1 recites further limitations which are not disclosed or made obvious by the applied prior art references. Claim 15 specifies that the processing means are connectable to the internet and that synchronization occurs over the internet.

Additional Cited References

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but have merely been cited to show the state of the art, no comment need be made with respect thereto.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Chris McDonald, Registration No. 41,533, at (703) 205-8000, in the Washington, D.C. area.


Prompt and favorable consideration of this Amendment is respectfully requested.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.


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Respectfully submitted,

By


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